

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

ANDRE BISASOR,

Plaintiff,

v.

Case No:1:23-cv-374-JL-TSM

CRAIG S. DONAIS, RUSSELL F. HILLIARD,
DONAIS LAW OFFICES, PLLC, UPTON &
HATFIELD, LLP AND MARY K. DONAIS,

Defendants.

**DONAIS DEFENDANTS' OBJECTION TO PLAINTIFF'S MOTION FOR
LIMITED DISCOVERY PERTAINING TO DEFENDANTS' OBJECTION
TO MOTION TO AMEND COMPLAINT (DOC. 197)**

Defendants, Craig Donais, Donais Law Offices PLLC and Mary K. Donais (collectively "Donais Defendants"), by and through their counsel, Morrison Mahoney LLP, respectfully submit this Objection to Plaintiff's Motion for Limited Discovery Pertaining to Defendants' Objection to Motion to Amend Complaint (197), stating in support as follows:

1. On May 9, 2024, Plaintiff filed the instant motion, seeking from the Donais Defendants 10 interrogatories, 10 requests for production of documents and a 1-hour deposition of the Donais defendants. (Doc 197 ¶50.) He also suggests that an evidentiary hearing may be necessary. (Doc 197 ¶34.) Plaintiff claims that this will not unduly delay the proceedings. (Doc 197 ¶50.)

2. Much of the motion appears to be rebuttal arguments to the Donais Defendants' Objection to Plaintiff's Motion to Amend his complaint. Plaintiff argues that the Donais Defendants made issues of (a) whether the Donais Defendants conspired with proposed new

defendant Beatriz Van Meek and (b) issues related to a matter first filed in a Massachusetts Superior Court, and that Plaintiff requires discovery on both issues. Plaintiff also outlines what appears to be his evident dissatisfaction with docket entries in the Middlesex Superior Court matter¹. With respect to the latter, he – through this motion and his request for discovery – evidently seeks to relitigate (or simultaneously litigate) matters in another jurisdiction by claiming that the Middlesex Superior docket sheet is inaccurate. (Doc 197, ¶¶22-23.) He also wrongly claims that the Donais Defendants have made the service of process in another matter a "major issue," in this case. (Doc 197 ¶31.)

3. Plaintiff does not need discovery on any issue to file a reply to the Donais Defendants' Objection. To the extent he disagrees with statements made in the Objection, he is free to point out that disagreement in his reply. That Plaintiff disagrees with the docket sheet in another jurisdiction should not be litigated in this court.

4. With respect to Ms. Van Meek, his motion simply consists of an argument in support of his motion to amend. (Doc 197, ¶¶43-47.) This court should not permit discovery regarding Ms. Van Meek's role at this stage.

5. Defendants suggest that Plaintiff once again is raising issues in an attempt to delay decisions in this matter. As this Court knows, on April 23, 2024, this Court held a hearing. Thereafter, Plaintiff was given until May 13, 2024 in which to file his Reply to objections to his motion to amend. The Court stated in its order of April 25, 2024 that "no further extensions will be provided for these filings for any reason" and set a hearing date of May 24, 2024 on Plaintiff's Motion to Amend his complaint. Should this Court grant the instant motion, a

¹ Plaintiff also argues that he anticipates that the dismissal in the Middlesex Superior court will be reversed. Should that be the case, then he does not need to utilize the saving statute in this matter.

decision on Plaintiff's Motion to Amend his Complaint would of necessity be delayed. Defendants object to any further delays.

6. In sum, discovery at this stage simply is not warranted, and this Court should deny Plaintiff's motion.

Wherefore Craig Donais, Mary K. Donais and Donais Law Offices PLLC respectfully request that this Honorable Court:

- A. Deny Plaintiff's Motion for Limited Discovery Pertaining to Defendants' Objections to Motion to Amend Complaint; and
- B. Grant such other and further relief as is equitable and just

Respectfully submitted,

Craig S. Donais, Donais Law Offices, PLLC and
Mary K. Donais

MORRISON MAHONEY LLP

By /s/ Linda M. Smith
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the following persons on this date in the manner specified herein:

Electronically Served:

/s/ Linda M. Smith
Linda M. Smith, #265038